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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SELAMAWIT EMBAYE, MARK CORREA,
THOMAS MITCHELL, SANDRA
PEREIRA, YOLANDA SHIHEIBER, and
ENREE SMITH,

Plaintiffs,

v.

ESA MANAGEMENT, LLC (DBA
"EXTENDED STAY AMERICA" and
"EXTENDED STAY HOTELS"), and DOES
1 to 10 inclusive,

Defendants.

Case No. 14-CV-3732 EMC

**STIPULATION AND ~~PROPOSED~~ ORDER
MODIFYING DECEMBER 11, 2014 CASE
MANAGEMENT MINUTE ORDER**

1 The parties, through their respective counsel, hereby make the following stipulations and
2 request.

3 WHEREAS, on December 11, 2014 this Court entered a Case Management Minute Order
4 in which the parties were ordered to complete mediation by April 30, 2015 and Plaintiffs were
5 allowed to take three depositions and Defendant ESA Management (“ESA”) were allowed to take
6 seven depositions prior to mediation.

7 WHEREAS, the parties have worked diligently to complete a first round of written
8 discovery in preparation for the pre-mediation depositions;

9 WHEREAS ESA has completed three of the seven depositions permitted prior to the
10 mediation and have scheduled the remaining four to take place by the end of March 2015.

11 WHEREAS Plaintiffs are anticipating deposing two defense witnesses in April 2015, after
12 they receive further production of documents from ESA.

13 WHEREAS, the parties have had difficulties scheduling a mediation to take place on or
14 before April 30, 2015 due to a variety of circumstances, including mediator availability, counsel
15 travel plans, arrangements to have one plaintiff return from out-of-state to sit for his deposition in
16 San Francisco, and coordinating the availability of the parties (including all seven plaintiffs, six of
17 whom are former employees of ESA and one who is expecting a baby in mid-April).

18 WHEREAS, after seeking appropriate dates from three different mediators, the parties have
19 now scheduled mediation with David Rotman on May 12, 2015.

20 Based upon these stipulations, the parties respectfully request the Court modify its previous
21 Case Management Minute Order to allow the parties until May 26, 2015 to complete mediation in
22 this matter.

23 The parties also respectfully request that the Court reschedule the Further Case
24 Management Conference, currently on calendar for May 14, 2015, to a date after the scheduled
25 mediation.

26 ///

27 ///

1 All other dates, deadlines and obligations set forth in the Court's December 11, 2014 Case
2 Management Minute Order shall remain unchanged.

3
4 DATED: February 20, 2015

By: /s/ Aaron Kaufmann
Aaron Kaufmann
Xochitl Lopez

6 *Attorneys for Plaintiffs*

7 LITTLER MENDELSON, PC

8
9 DATED: February 20, 2015

By: /s/ Lindbergh Porter
Lindbergh Porter
Mary Walsh

11 *Attorneys for Defendant*

12 SIGNATURE UNDER LOCAL RULE 5-1(i)(3)

13 Pursuant to Local Rule 5-1(i)(3) of the United States District Court, Northern District of
14 California, I, Aaron Kaufmann – the ECF User whose User ID and Password are used in the filing
15 of this document – hereby attest that the authorization of the filing of this document has been
16 obtained from the other signatory to this document.

17
18 DATED: February 20, 2015

By: /s/Aaron Kaufmann
AARON KAUFMANN

1 IT IS HEREBY ORDERED that the Court's December 11, 2014 Case Management Minute
2 Order is modified as follows:

- 3 1. The parties are to complete private mediation by May 26, 2015.
- 4 2. The current Further Case Management Conference, scheduled for May 14, 2015, is
5 hereby vacated and rescheduled to June 18, 2015. at 10:30 a.m. Updated Joint
6 CMC statement due June 11, 2015.
- 7 3. All other dates, deadlines and obligations set forth in the Court's December 11,
8 2014 Case Management Minute Order shall remain unchanged.

9 IT IS SO ORDERED.

10
11 2/20/15

12 DATED: _____

